GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Prohibition & Excise Department – Inclusion of name of Sri G. Veera Reddy, Assistant Commissioner of Prohibition & Excise (Retd.) for assigning notional promotion in the cadre of Deputy Commissioner of Prohibition & Excise in the panel year 1995-96 keeping in view of the orders of Hon'ble APAT in OA No.5350/2010 – Objections called for – Communicated.

- -

REVENUE (EXCISE-I) DEPARTMENT

G.O.RT.No. 6 **Dated: 02-01-2019**

Read the following:-

1. Govt. Memo. No.40017/EX.I(1)/2010, dt.05.03.2013.
2. From the Hon'ble High Court of AP, Hyderabad, Orders, dt.25.07.2017 in CC (TR) No.59/2017 filed by Sri G. Veera Reddy, S/o G.Pulla Reddy, retired Assistant Commissioner of Prohibition & Excise (I/c.), Nalgonda District.
3. From the CPE, AP., Cr.No.4440/CPE/A2/2017, dt.09.08.2017.
4. G.O.Rt.No.427, Revenue (Ex-I) Department., Dt:03.04.2018.
5. From Sri G.Veera Reddy, P&ES (Rtd.), Hyderabad, representation, dt.21.04.2018.
6. From the CPE, AP., Cr.No.4440/CPE/A2/2017, dt.08.06.2018.
7. G.O. Rt. No.427, Revenue (Ex.I) Department, Dt:03.04.2018.
8. G.O.Ms.No.615, Revenue (Ex.I) Department, dt.05.12.2018.
9. From the CPE, AP., Cr.No.4440/CPE/A2/2017, dt.07.12.2018.
10. U.O.Note.No.742115/SER.D/2018-1, G.A. (Ser.D) Department, dt.01.01.2019 along with proceedings of the Meeting of the Review DPC held on 31.12.2018.

***

ORDER:

The Hon'ble APAT., in its order, dated:19.11.2012 in OA No.5350/2010, while setting aside the proceedings of the Commissioner of Prohibition and Excise and the Govt., Memo No. 55059/Ex.I (1)/2005-11, dated 29-1-2010 directed to place the name of the applicant in the cadre of Assistant Excise Superintendent at Sl.No.1 in the panel year 1982-83 and to issue proceedings, within 4 weeks from the date of receipt of a copy of this order with all consequential benefits. Sri G. Veera Reddy, Prohibition & Excise Superintendent (Retd.) has also filed CA No.970/2013 in OA No.5350/2010 for consequential notional promotion to the cadre of Prohibition & Excise Superintendent, Assistant Commissioner and Deputy Commissioner on par with his juniors.

2. Accordingly, in the reference 1st read above, Government examined the request of Sri G. Veera Reddy, Retired in-charge Assistant Commissioner; keeping in view the orders of A.P. Administrative Tribunal in O.A.NO.5350/2010, dt.19.11.2012 and confirmed the provisional decision taken in para (12) of Govt. Memo.No.55059/EX.I(1)/2005-8, dt.19.03.2009, in relaxation of rule 33 (a) of A.P. State and Sub-ordinate Service Rules, 1996.

3. In view of the bifurcation of State, the relevant file has been transferred to State of Telangana, since he belongs to Multi-Zone-III. The matter has been examined by the Government of Telangana and requested the Government of Andhra Pradesh to examine and settle the issue, since the matter belong to erstwhile Andhra Pradesh. In the meantime, the applicant filed contempt application for complying with the orders of APAT. On discontinuation of APAT in respect of Telangana State Government, the

(PTO)

matter transferred to Hon'ble High Court and the Hon'ble High Court has taken up the contempt and issued directions in CC (TR.) No.59/2017 to comply with the orders of APAT in OA No.5350/2010, dt.19.11.2012 and send the compliance report immediately.

4. The orders of Hon'ble APAT., in OA No.5350/2010, dt.19.11.2012 have been examined by the Government in detail and after following due procedure, Sri G. Veera Reddy has been accorded notional promotion as Prohibition & Excise Superintendent on par with his junior Sri A.Gabrial in the cadre of Prohibition & Excise Superintendent in the panel year 1985-86, vide G.O.Rt.No.427, Revenue (Ex.I) Department, dt.03.04.2018.

5. Sri G.Veera Reddy, Prohibition & Excise Superintendent, (Retired), Hyderabad, in his representation, dt.21.04.2018, among others, has requested to accord notional promotions as Assistant Commissioner of Prohibition & Excise and Deputy Commissioner of Prohibition & Excise on par with his juniors as per the orders of Hon'ble Tribunal in OA No.5350/2010, dt.19.11.2012.

6. The request of Sri G. Veera Reddy, In-charge Assistant Commissioner of Prohibition & Excise, (Retired) has been examined and after following due procedure, he was promoted notionally to the post of Assistant Commissioner of Prohibition and Excise with effect from 01.02.1990 (ie., the date of promotion of his junior Sri C. Rajagopal Naidu) by relaxing rule 33 (a) of A.P. State and Sub-ordinate Service Rules, 1996, vide G.O.Ms.No.615, Revenue (Ex.I) Department, dt.05.12.2018.

7. The Commissioner of Prohibition and Excise, AP., in the reference 9th read above, among others, has stated that as per the notional promotion in the cadre of Assistant Commissioner of Prohibition & Excise he is senior to Sri Fazulullah and as such he has to be placed in the panel year 1995-96 by pushing down the name of Sri Fazulullah. As per the notional panels of Deputy Commissioners of Prohibition & Excise for the panel years 1975-76 to 2004-05 which was issued vide G.O.Ms.No.2039, Revenue (Ex.I) Department, dt.26.11.2005, the following persons are placed in the panel year 1995-96:

1. Sri B. Venkatasubbaiah.
2. Sri P. Indrasena Reddy.
3. Sri Fazulullah.

8. The Commissioner of Prohibition & Excise, AP., has therefore, requested to take immediate action for considering notional promotion to Sri G. Veera Reddy as Deputy Commissioner of Prohibition & Excise in the panel year 1995-96, since his junior Sri Fazulullah was promoted as Deputy Commissioner of Prohibition & Excise and also to avoid contempt proceedings in the matter.

9. In order to consider the request of Sri G. Veera Reddy for inclusion of his name in the panel of Deputy Commissioner for the panel year 1995-96 on par with his juniors, the matter has been placed before the Review Departmental Promotion Committee for their recommendations.

10. The Review Departmental Promotion Committee, which met on 31.12.2018 has recommended to include the name of Sri G. Veera Reddy in the panel of Assistant Commissioner of Prohibition and Excise at Sl.No.3, for notional promotion to the category of Deputy Commissioner of Prohibition & Excise below the name of Sri P. Indrasena Reddy in the panel year 1995-96, duly deleting the last name of Sri Fazulullah, as per the orders issued in G.O.Ms.No.62, G.A.(DPC-I) Department, dt.08.02.1989, as the panel was prepared for 3 vacancies only.

(Contd..3)

11. Government have examined the recommendations of the Review Departmental Promotion Committee and decided to accept the recommendations of Review Departmental Promotion Committee and accordingly, included the name of Sri G. Veera Reddy in the panel of Assistant Commissioner of Prohibition and Excise fit for promotion to the post of Deputy Commissioner notionally at Sl.No.3 ie., below the name of Sri P.Indrasena Reddy (Sl.No.2) Deputy Commissioner of Prohibition and Excise in the panel year 1995-96, duly deleting the last name of Sri Fazulullah.

12. In accordance with rule 24 of A.P. State and Sub-ordinate Service Rules, 1996, it is proposed to call for the objections of the affected persons mentioned below. The persons who are affected by this proposed notional promotion may submit their written statement of objections, if any, within (10) days from the date of publication of this notice in A.P. Gazette, failing which, it would be construed that they have no objections to the proposed inclusion of name of Sri G. Veera Reddy, Assistant Commissioner of Prohibition and Excise (Retired) in the panel year 1995-96. No extension of time will be granted.

1.Sri Fazulullah.
2.Sri M.K. Devendra Prasad.
3.Sri K.V.R.N. Raju.
4.Sri P. Sanjeev Prasad.
5.Sri G. Vishnu Swaroop Reddy.
6.Sri D. Sambaiah.
7.Sri K. Nageswara Rao.
8.Sri D.Esu Prasad.
9.Sri Abdul Muqueem.
10.Sri P. Prasada Rao.
11.Sri P. Upender Rao.
12.Sri Jagadish Kumar Reddy.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. D. SAMBASIVA RAO
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing, Stationary & Stores, Purchase Department, Andhra Pradesh (He is requested to publish the same in the Extra-ordinary Gazette, **dt.02.01.2019**).

Copy to:

The Commissioner of Prohibition & Excise, A.P.,
RS.No.88-2B, Sai Vihar Apartments,
Poultry Farm Road, Prasadampadu(Village),
Vijayawada (Rural Mandal), Krishna District.
The Government Pleader for Services, (Revenue), Government of AP,
High Court of AP.
SF/SC.

//FORWARDED::BY ORDER //

SECTION OFFICER.